

CHAPTER 9

CLI PHASE II RECOMMENDATIONS

The recommendations presented below were suggested by CLI Stakeholders present on the second day of the CLI Partner Task Force Meeting (September 24, 1998). These are the recommendations that the CLI (as represented by the Partner and Task Force members present at the meeting) made to the EPA. The EPA responded to the recommendations regarding which label changes can currently (i.e., at the time this report was written) be made at the April 1999 Partner and Task Force meeting. In addition, plans for a CLI media event to take place in Spring 2000, plans of completion of the Phase II Report, and plans for the Consumer Education Campaign were also announced at the April meeting. A section describing the label changes and the new developments for CLI follows the CLI recommendations.

Prior to the Partner and Task Force meeting, Susan Wayland, Deputy Assistant Administrator for the EPA's Office of Prevention, Pesticides, and Toxic Substances, had asked Stakeholders to consider the following items when making recommendations:

- # identify what product label changes can be implemented immediately, and the options and associated tradeoffs;
- # identify any needs for further research, the options and associated tradeoffs, and anticipated end points for making label changes; and
- # identify any needed policy choices, and the possible options and associated tradeoffs for each choice.

Topics for discussion during the meeting included the following:

- # signal words and hazard hierarchy,
- # ingredients,
- # label format,
- # consumer education, and
- # storage and disposal.

For each of these discussion topics, the Partner and Task Force members attempted to address each of the items identified above. In many cases, the issue of Consumer Education overlapped with the discussion topics, and was considered as a stand alone topic in others. Information or recommendations regarding consumer education are therefore captured both by discussion topic and under the Consumer Education topic area.

Signal Words and Hazard Hierarchy Recommendations

Product Label Changes

1. For products that fall into toxicity categories 1, 2, or 3, recommend that manufacturers be encouraged to voluntarily put one or more bullet points underneath the signal word on the front label, explaining the precautions associated with the product. The statement which currently refers people to turn to the back of the package for more explanation of the precautions should remain on the front of the label.

Further Research

1. Recommend that additional research be conducted on the effects of “highlighting” and graphical depictions of the signal words on the front of the label before any such changes are implemented. (“Highlighting” means things such as bolding the word, boxing the word, using colors to make the word stand out, making the word bigger, etc.; graphical depictions could include bar graphs, thermometers, “laugh meters,” or similar designs incorporating all three words into a hierarchical visual format.) Also explore as a part of this research “information fragmentation” (i.e., placing precautionary-related information on both the front and back label panels) issues. Note on intent: the need for this research is not intended to preclude the change recommended pertaining to placing the precaution bullet on the front panel with the signal word.

Policy Choices

1. For toxicity category 4 products only, the EPA should consider not having a signal word. (Currently, both category 3 and category 4 products can have the signal word “Caution” associated with them.)
2. The EPA should determine what the consumer should understand about signal words and the hazard hierarchy. If the intent is for the signal words to flag for the consumer that care should be taken, then the recommendations here are enough along with appropriate educational efforts (see education recommendations). If the intent is for the hazard hierarchy to be understood, then additional research and education are necessary.

Consumer Education

1. Recommend that an effort be made to educate consumers about the meaning of the signal words, and how they are defined and used on labels. This should be done in a factual context, and without judgement calls which conclude the meaning for the consumer (i.e., the Agency should not recommend that consumers always buy products marked CAUTION in preference to products marked DANGER).

Ingredients Recommendations

Product Label Changes

1. Recommend that the EPA not make any across-the-board label changes for ingredients at the present time.

2. Recommend that the EPA allow manufacturers the flexibility to voluntarily provide “other ingredient” information on the label in a way that consumers in the study expressed they wanted (i.e., listed by category, perhaps with some explanation of purpose).
3. Recommend that the EPA allow manufacturers more flexibility in where they provide ingredient information (e.g., back panel versus front panel).

Further Research

1. Recommend that the EPA conduct further research to identify how to supply consumers’ expressed need for medical information to people who want it. It was noted that information learned from the quantitative research of Phase II should be incorporated in any further research.

Policy Choices

1. Recommend that the EPA further examine how to provide ingredient information on the label in the way consumers expressed they want it, as indicated by the research (i.e., give them categories of ingredients along with the purpose.) Also, refer to research recommendations in the format section.

Consumer Education

1. Educate consumers about ingredient information on labels (i.e., why they appear on the label and the meaning of “active” and “other”), through the “Read the Label *FIRST!*” campaign. Additionally, it was suggested that the education campaign be utilized to inform the public about where to get health and safety information, e.g., for people prone to allergies, etc.

Label Format Recommendations

Product Label Changes

1. Recommend that statements that were clearly preferred by consumers in the quantitative research be used, as appropriate, and that the EPA make program changes to allow this to happen to the extent possible.

Directions for Use

2. Recommend that the EPA consider replacing the statement, “It is a violation of Federal law to use this product in a manner inconsistent with its labeling,” with the simpler phrase tested on the quantitative survey — “Use only as directed on this label.”
3. Recommend that manufacturers *voluntarily* put direction for use in bulleted form with no wrapping text (i.e., making sure that each new direction for use is set off on a separate line, and does not continue on the same line), using ordinal numbers if sequence is important.

Precautionary Statements

4. Recommend that manufacturers *voluntarily* put the principal health hazard information from the precautionary statements in bulleted form underneath signal words.
5. Recommend that manufacturers and the EPA, where possible, use simple language, avoiding jargon; avoid wrapped text; keep sections together in same column; use more white space; and eliminate needless words. This recommendation was particularly expressed with regard to precautionary statements.
6. Recommend that the EPA remove language that is not appropriate to consumers from precautionary statements, e.g., language more appropriate for agricultural pesticides, etc.

Precautionary Statements — First Aid Specific

7. Recommend that manufacturers *voluntarily* put First Aid information in a table format and within a box.
8. Recommend that manufacturers who provide a toll-free number for emergencies voluntarily include that number beneath or within any table/box that includes First Aid information.

Further Research

1. Recommend that further research be structured to investigate location and presentation of ingredient information (e.g., placing ingredient information on the front or back of the label, tabular formats, etc.), before any across-the-board changes are made to ingredients information. This recommendation addresses the variation in need which can arise between product categories, e.g., indoor and outdoor versus cleaner product labels.
2. Recommend that further research be conducted to investigate how the information hierarchy (i.e., information that consumers in the quantitative research said was most important to them) translates into the order in which information appears on labels.

Policy Choices

1. Given the efforts in other non-CLI forums to standardize the use of icons, further work on this topic should not be pursued as a part of the CLI.

Consumer Education

1. Recommend that the “Read the Label *FIRST!*” campaign educate consumers that it is acceptable for them to open and read label booklets (particularly for outdoor pesticide products) in the store.

Consumer Education and “Read the Label *FIRST!*” Recommendations

It was noted that the Consumer Education Subgroup will address any recommendations from other topic areas related to Consumer Education.

1. Educate consumers on what specific parts of the label mean or are intended to communicate; specifically, signal words, active and other ingredients, storage and disposal, and precautionary statements including First Aid.
2. As the CLI project continues, expand membership of the Consumer Education Subgroup to include brand managers, marketing staff, and label designers from within the Partner companies, particularly with respect to designing and assessing the impact of the logo for the “Read the Label *FIRST!*” campaign.
3. Recommend that messages conveyed through the consumer education campaign be market-tested in appropriate ways before they are launched.
4. Recommend that retailers be brought into the Consumer Education Subgroup, as they will be important for distributing the messages developed by the group.

Storage and Disposal Recommendations

Phase II Follow Up

1. Recommend that the EPA send information from the quantitative study about recycling symbols (those with chasing arrows) to relevant organizations.
2. Recommend the EPA gather any available information on risk assessments regarding product disposal from states, manufacturers, and other appropriate organizations and share this information with all applicable parties, in an effort to coordinate these types of studies.
3. Recommend that the quantitative data on disposal practices be sent to the North American Hazardous Materials Management Association (NAHMMA) and that NAHMMA be encouraged to share this information with its members.

Product Label Changes

1. Recommend that for empty containers, the statement on product labels read, “Place in trash. Recycle where available.” The recycling statement would be optional for manufacturers. Also optional, manufacturers may use the statement that reads: “Do not re-use container.”
2. Recommend that, given that there was no agreement on label statements for partially filled containers, there be a delay in any *Pesticide Registration (PR)* notice regarding the disposal statement on empty containers until the EPA makes a policy decision about how to handle partially filled containers.

3. Recommend to keep the status quo for storage statements on product labels.

EPA Actions on CLI Recommendations

During the April 7-8, 1999, Partner and Task Force meeting, the EPA discussed how it intended to address the recommendations made during the September 1998 Partner and Task Force meeting. The EPA's Office of Pesticide Programs (OPP) is handling the recommendations for label changes, and it presented a draft strategy for dealing with those recommendations at the April 1999 meeting. Also at the meeting, planning was initiated for a CLI media event in Spring 2000, to announce the CLI recommendations; and updates on both the completion of the Phase II Report and the Consumer Education Campaign activities were presented.

Draft OPP Strategy for Implementation of the Phase II Label Changes

OPP's draft strategy for implementing some of the CLI recommendations, presented in the April 1999 Partner and Task Force meeting, includes the following:

1. OPP will circulate an internal guidance memorandum to forewarn EPA product managers about the type of paperwork to expect coming from companies making label changes recommended by the CLI. The memo would cover label changes that can be approved now, changes that would be considered on a case-by-case basis, and changes that would not be considered at present. These draft changes are listed below.
2. Revised First Aid statements have been agreed upon and a draft *Pesticide Registration (PR)* notice announcing these new statements is currently being reviewed by EPA staff. The PR notice is expected to be issued in Fall/Winter 1999.
3. PR notices for all recommendation topics will be issued after the guidance memo. Some PR notices may be issued as "final" notices without a time period allotted for public comment, while others will be issued "for comment."
4. Label changes will apply to all FIFRA regulated pesticide products, not just consumer pesticides and household cleaners.
5. Sometime in the future, the PR notices will be incorporated into EPA regulation, where necessary.

Label Changes That Can be Submitted Now

While manufacturers must abide by current regulations, they can submit the following label changes to the OPP (see Appendices 3-3 to 3-6 for examples of some of these label changes):

- # adding hazard bullet points under signal words;
- # removing inappropriate language on consumer labels;
- # providing information on "other ingredients" in a variety of ways; and
- # presenting first aid information in simplified formats, including a toll-free number, and using the new revised First Aid statements.

Changes to the overall label format and presentation that can currently be made include:

- # use of preferred statements;
- # use of simpler language and less jargon;
- # use of revised hazard and use statements;
- # use of bullet formats;
- # avoidance of narrative text formats (e.g., using bullets and headings);
- # keeping sections together in the same column;
- # using white space;
- # eliminating needless words, while still abiding by current regulations;
- # adding numbers for sequential actions;
- # use of tables;
- # adding sub-heading into the Directions for Use section; and
- # rearranging precautionary statements to give prominence to those of greater interest.

Label Changes That Need to be Discussed with EPA Product Managers Before Submitting

- # changing the location of the ingredients statement.

Label Changes That Cannot be Submitted at Present Time

- # changing, combining, or deleting headings;
- # locating storage and disposal instructions outside of the Directions for Use section;
- # revising the Federal misuse statement; and
- # leaving off the signal word for products in toxicity category 4.

CLI Media Event

During the April 1999 Partner and Task Force meeting, the EPA informed CLI Stakeholders about plans for an upcoming media event, to announce some of the labeling recommendations that EPA will be making as a result of the CLI. Plans for the media event were postponed until Spring 2000, however, to coincide with the ‘kick-off’ of the CLI Consumer Education Campaign; the media event will serve as the ‘kick-off’ event for the “Read the label *FIRST!*” Campaign. This launch is timed to coincide the appearance of newly redesigned labels on store shelves with consumers’ general interest in seasonal gardening and cleaning activities. Eventually, the

Consumer Education Subgroup intends to finalize and make available to the public a variety of educational materials (e.g., brochures, pamphlets, etc.).

1. The goals of the media event are to announce to the public CLI's accomplishments, inform the public that labels are changing to become simpler, promote the "Read the Label *FIRST!*" campaign, promote the CLI partnership between EPA and its Stakeholders, and increase consumer awareness in general regarding product labels.
2. The media event is scheduled for Spring 2000. It was proposed at the April 1999 meeting that because the event serves as a way in which to reach the general public, a well-known public figure may be appropriate to convey the messages of the event, in addition to the EPA and CLI Partners.
3. The target audience for the media event is the general public, the trade press, community newspapers, and lifestyle magazines.
4. Messages for the event will be drafted by EPA and circulated to CLI Partners and other Stakeholders prior to the event.

Completion of the Phase II Report

An update on the Phase II Report and details for its completion were presented to CLI Partner and Task Force members during the April 1999 meeting. Partners and Task Force members were informed that all of EPA's recommendations on label changes, as a result of CLI, will be included in the Report. Partner and Task Force members agreed that displaying the Phase II findings on the Internet before the completion of the Report would be counterproductive and, therefore, resources should be spent on completion of the Report.

Consumer Education Campaign

An update of the activities since the September 1998 Partner and Task Force meeting regarding the Consumer Education Campaign was presented during the April 1999 meeting.

1. Upon recommendation from the September Partner and Task Force meeting, the Consumer Education Subgroup had been expanded to include marketing, brand, outreach, and public relations experts.
2. A message development group was formed to develop the messages for the "Read the Label *FIRST!*" campaign, for use in both outreach fliers and/or brochures.
3. A message placement group was also formed to identify and implement the most appropriate avenues for distributing the messages and products for the Consumer Education Campaign in order to promote the "Read the Label *FIRST!*" campaign.
4. Ideas for generating a unique logo for the "Read the Label *FIRST!*" campaign were shared during the April 1999 Partner and Task Force meeting. Logo design concepts included the idea of a design competition or contracting with a graphic designer to produce the logo. The goal would be to have a logo in place that companies and other

CLI participants could use on products, in advertising, and on education materials in time for the Spring 2000 promotion period.